
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

JOSE LUIS CORRALES,

Petitioner,

versus

WARDEN, FCI BEAUMONT,

Respondent.

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CIVIL ACTION NO. 1:24-CV-168

**ORDER OVERRULING PETITIONER’S OBJECTIONS AND ADOPTING THE
MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

Petitioner Jose Luis Corrales, a prisoner confined at the Federal Correctional Institution in Beaumont, Texas, proceeding *pro se*, filed this Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241.

The court ordered that this matter be referred to the Honorable Christine L. Stetson, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends dismissing the petition.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. Petitioner filed objections to the magistrate judge’s Report and Recommendation.

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the court concludes the objections are without merit.

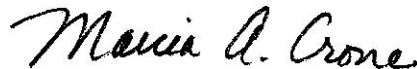
In most cases, a post-conviction challenge to a federal conviction or sentence must be brought pursuant to 28 U.S.C. § 2255 in the sentencing court. *Tolliver v. Dobre*, 211 F.3d 876,

877 (5th Cir. 2000). The “savings clause” of § 2255 allows a prisoner pursue relief under § 2241 in limited circumstances if it appears that the remedy by § 2255 motion “is inadequate or ineffective to test the legality of his detention.” 28 U.S.C. § 2255(e). In this case, the savings clause does not provide Petitioner with an avenue for post-conviction relief under § 2241. Petitioner’s lack of success in pursuing relief under § 2255 motion does not meet his burden of demonstrating that § 2255 is an inadequate or ineffective remedy, such that he should be allowed to pursue his claims in a § 2241 petition.

ORDER

Accordingly, Petitioner’s objections (#3) are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge (#2) is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge’s recommendation.

SIGNED at Beaumont, Texas, this 26th day of August, 2024.

A handwritten signature in black ink, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE